

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRANDON D. PORTER,

Defendant.

Case No. 19-CR-125-JPS

ORDER

On July 9, 2019, the grand jury returned a seven-count indictment against Defendant, charging him with violations of 21 U.S.C. §§ 841(a)(1), (b)(1)(C), (b)(1)(B)(vi) and 18 U.S.C. § 924(c)(1)(A)(i). (Docket #1). On August 19, 2019, the parties filed a plea agreement indicating that Defendant agreed to plead guilty to Counts Five and Six of the Indictment. *See* (Docket #8 at 15).

The parties appeared before Magistrate Judge William E. Duffin on September 20, 2019 to conduct a plea colloquy pursuant to Federal Rule of Criminal Procedure 11. (Docket #9). Defendant entered a plea of guilty as to Counts Five and Six of the Indictment. *Id.* After cautioning and examining Defendant under oath concerning each of the subjects mentioned in Rule 11, Magistrate Duffin determined that the guilty plea was knowing and voluntary, and that the offense charged was supported by an independent factual basis containing each of the essential elements of the offense. (Docket #10 at 1).

That same day, Magistrate Duffin filed a Report and Recommendation with this Court, recommending that: (1) Defendant's plea

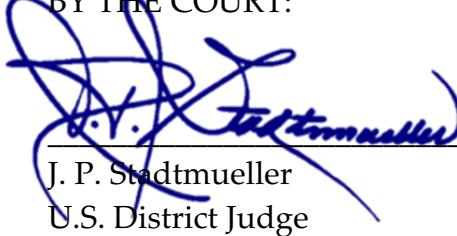
of guilty be accepted; (2) a presentence investigation report be prepared; and (3) Defendant be adjudicated guilty and have a sentence imposed accordingly. *Id.* at 2. Pursuant to General Local Rule 72(c), 28 U.S.C. § 636(b)(1)(B), and Federal Rule of Criminal Procedure 59(b), the parties were advised that written objections to that recommendation, or any part thereof, could be filed within fourteen days of the date of service of the recommendation. *Id.* To date, no party has filed such an objection. The Court has considered Magistrate Duffin's recommendation and, having received no objection thereto, will adopt it.

Accordingly,

IT IS ORDERED that Magistrate Judge William E. Duffin's Report and Recommendation (Docket #10) be and the same is hereby **ADOPTED**.

Dated at Milwaukee, Wisconsin, this 16th day of October, 2019.

BY THE COURT:



J. P. Stadtmueller
U.S. District Judge